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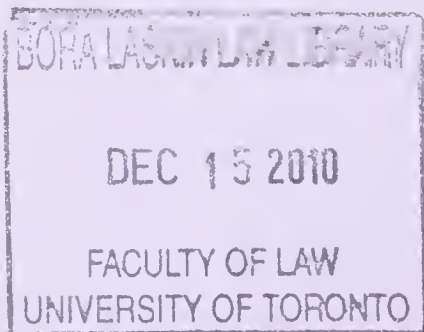
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International Humanitarian Law

Course Materials

Winter 2011

Adjunct Professor Jennifer Orange





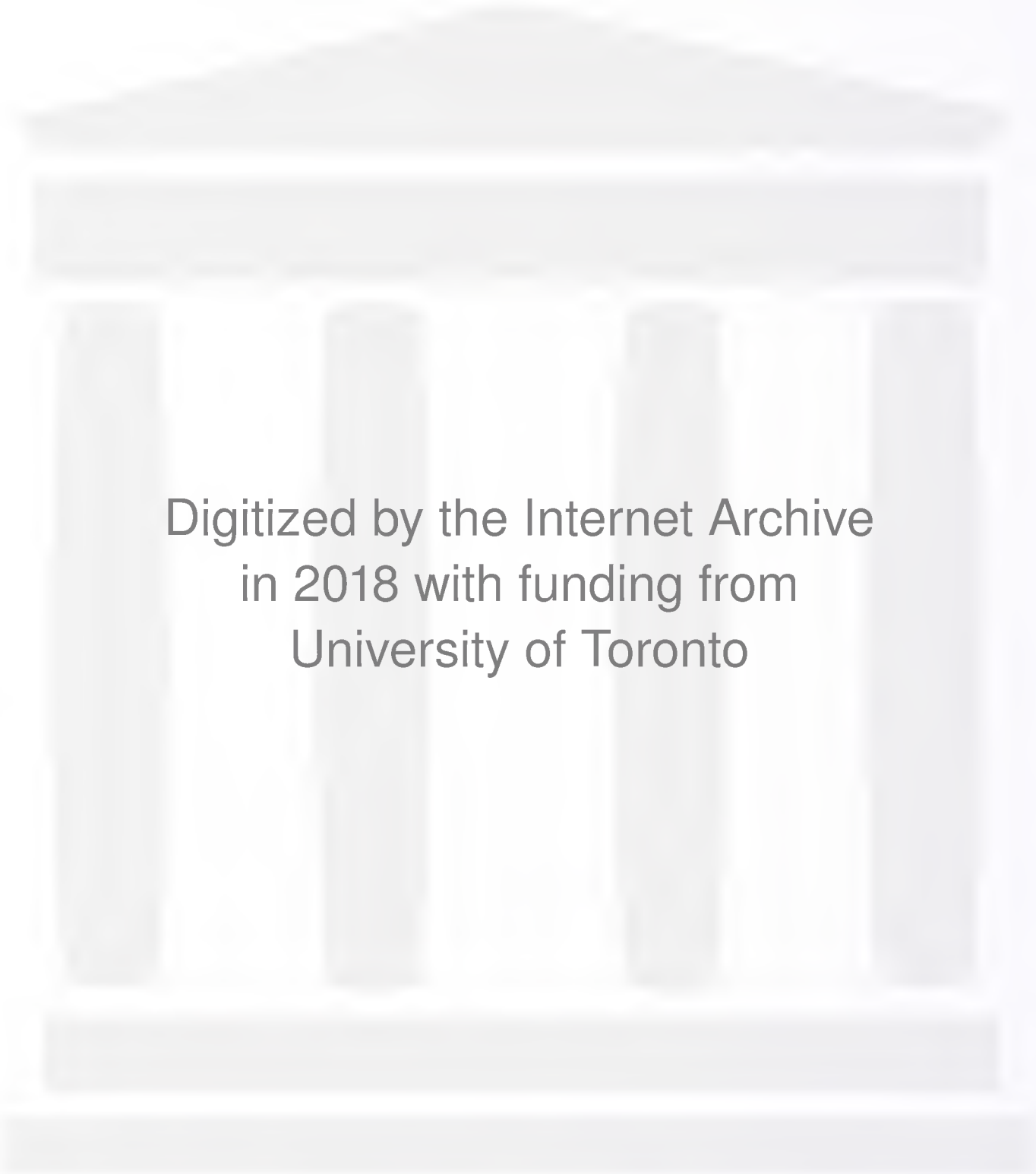
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International Humanitarian Law

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<http://www.icrc.org/eng/war-and-law/conduct-hostilities/methods-means-warfare/overview-methods-and-means-of-warfare.htm>
- *Legality of the Threat or Use of Nuclear Weapons*, Advisory Opinion, July 8, 1996, ICJ Rep. 1996 in Sassoli & Bouvier, *How Does Law Protect in War*, Vol. 1, ICRC, 1999 110
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- William Haynes, Council on Foreign Relations, 127
<http://www.cfr.org/publication.html?id=5312>
- Evan Perez and Jess Bravin, 'Enemy Combatant' Label Is Dropped for Detainees, *Wall Street Journal*, March 14, 2009 131
<http://online.wsj.com/article/SB123697422076922961.html>
- Prisoners of war and detainees protected under international humanitarian law, 29-10-2010 Overview, ICRC, <http://www.icrc.org/eng/war-and-law/protected-persons/prisoners-war/overview-detainees-protected-persons.htm> 133
- Rule 106. Conditions for Prisoner of War Status, ICRC, 134
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- Interpretive Guidance on the Notion of Direct Participation in Hostilities under International Humanitarian Law, ICRC May 2009 138
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- Women Protected under International Humanitarian law, ICRC, 29-10-2010, 162
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- Francoise Bouchet-Saulnier, *The Practical Guide to Humanitarian Law*, Doctors Without Borders, (Rowman & Littlefield, 2002), pp. 34-41 164

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- International Coalition of the Responsibility to Protect, “Summary of the Report of the Secretary-General on Implementing the Responsibility to Protect” 16 February 2009 247
<http://www.responsibilitytoprotect.org/files/ICRtoP%20Summary%20of%20SG%20report.pdf>

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